

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA**Consent Order of Restitution**

v.

JOSEPH CHIRICO

Docket No. S1 19 Cr. 833 (SHS)

Upon the application of the United States of America, by its attorney, Damian Williams, United States Attorney for the Southern District of New York, Robert B. Sobelman, Assistant United States Attorney, of counsel; the presentence report; the Defendant's conviction on Count One of the above Superseding Information; and all other proceedings in this case, it is hereby ORDERED that:

1. Amount of Restitution

Joseph Chirico, the Defendant, shall pay restitution in the total amount of \$550,000, pursuant to 18 U.S.C. §§ 3663, 3663A, to the victims of the offense charged in Count One. The names, addresses, and specific amounts owed to each victim are set forth in the Schedule of Victims, attached hereto as Schedule A. Upon advice by the United States Attorney's Office of a change of address of a victim, the Clerk of the Court is authorized to send payments to the new address without further order of this Court.

A. Joint and Several Liability

Restitution is joint and several with co-defendants Joseph Ciaccio, Joseph DePaola, Derrek Larkin, and Mattie Cirilo, in this matter under 19 Cr. 833 (SHS), up to a total of \$8,393,517.12. The Defendant's liability for restitution shall continue unabated until either the Defendant has paid the apportioned amount of \$550,000, or every victim has been paid the total amount of loss from all the restitution paid by the Defendant and his aforementioned co-defendants in this matter.

If the Defendant defaults on the payment schedule set forth above, the Government may pursue other remedies to enforce the judgment.

3. Payment Instructions

The Defendant shall make restitution payments by certified check, bank check, money order, wire transfer, credit card or cash. Checks and money orders shall be made payable to the "SDNY Clerk of the Court" and mailed or hand-delivered to: United States Courthouse, 500 Pearl Street, New York, New York 10007 - Attention: Cashier, as required by 18 U.S.C. § 3611. The Defendant shall write his/her name and the docket number of this case on each check or money order. Credit card payments must be made in person at the Clerk's Office. Any cash payments shall be hand delivered to the Clerk's Office using exact change, and shall not be mailed. For payments by wire, the Defendant shall contact the Clerk's Office for wiring instructions.

4. Additional Provisions

The Defendant shall notify, within 30 days, the Clerk of Court, the United States Probation Office (during any period of probation or supervised release), and the United States Attorney's Office, 86 Chambers Street, 3rd Floor, New York, New York 10007 (Attn: Financial Litigation Unit) of (1) any change of the Defendant's name, residence, or mailing address or (2) any material change in the Defendant's financial resources that affects the Defendant's ability to pay restitution in accordance with 18 U.S.C. § 3664(k). If the Defendant discloses, or the Government otherwise learns of, additional assets not known to the Government at the time of the execution of this order, the Government may seek a Court order modifying the payment schedule consistent with the discovery of new or additional assets.

5. Restitution Liability

The Defendant's liability to pay restitution shall terminate on the date that is the later of 20 years from the entry of judgment or 20 years after the Defendant's release from imprisonment,

6. Sealing

Consistent with 18 U.S.C. §§3771(a)(8) & 3664(d)(4) and Federal Rule of Criminal Procedure 49.1, to protect the privacy interests of victims, the Schedule of Victims, attached hereto as Schedule A, shall be filed under seal, except that copies may be retained and used or disclosed by the Government, the Clerk's Office, and the Probation Department, as need be to effect and enforce this Order, without further order of this Court.

AGREED AND CONSENTED TO:

DAMIAN WILLIAMS
United States Attorney for the
Southern District of New York

By: Robert B. Sobelman
Robert B. Sobelman
One Saint Andrew's Plaza
New York, NY 10007
Tel.: (212) 637-2616

8/3/22

DATE

JOSEPH CHIRICO

By: Joseph Chirico
Joseph Chirico
John Lynch, Esq.
1814 Kennedy Boulevard
Union City, NJ 07087
Tel: (201) 867-2008

8/3/22

8/3/22

SO ORDERED:

Sidney H Stein
HON. SIDNEY H. STEIN
UNITED STATES DISTRICT JUDGE

January 6, 2023